

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

ATTORNEYS AT LAW

FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VIRGINIA 22202 U.S.A.

(703) 413-3000

(703) 413-2220 FACSIMILE

OBLONPAT@OBLON.COM

WWW.OBLON.COM

PATENT, TRADEMARK AND COPYRIGHT LAW
AND RELATED FEDERAL AND ITC LITIGATION

RECEIVED

DEC 21 2000



Docket No. 0660-0166-0X CONT

TECH CENTER 1600/2900

NORMAN F. OBLON
MARVIN J. SPIVAK
C. IRVIN McCLELLAND
GREGORY J. MAIER
ARTHUR I. NEUSTADT
RICHARD D. KELLY
JAMES D. HAMILTON
ECKHARD H. KUESTERS
ROBERT T. POUS
DAVID J. KERA
CHARLES L. GHOLZ
WILLIAM E. BEAUMONT
JEAN-PAUL LAVALLEY, PH.D.
JEFFREY H. KAUFMAN
BRIAN D. ANDERSON
ROBERTA S. BREN
STEPHEN G. BAXTER, PH.D.
RICHARD L. TREANOR, PH.D.
STEVEN P. WEIROUCH
JOHN T. GOOLKASIAN*
RICHARD L. CHINN, PH.D.
STEVEN E. LIPMAN
CARL E. SCHLIER
P. JAY HINES
JAMES J. KULBASKI
RICHARD A. NEIFELD, PH.D.
J. DEREK MASON, PH.D.
SURINDER SACHAR
JONATHAN HUDIS
JEFFREY B. MCINTYRE*
WILLIAM T. ENOS*
MICHAEL E. McCABE, JR.*
STEVEN C. TABACKMAN
JORDAN S. WEINSTEIN
BRADLEY D. LYTLE
MICHAEL R. CASEY, PH.D.

GERALD J. MOSENFELDER

MILTON STERMAN
SAMUEL H. BLECH*
JOHN O. TRESANSKY*
ALTON D. ROLLINS
JAMES R. BOLER*
HARRIS A. PITLICK*
RAYMOND F. CARDILLO, JR.
ROBERT W. HAHN, PH.D.
NEAL GOLDFARB
BRIAN B. DARVILLE

RECEIVED

DEC 15 2000

MASAYASU MOTONO
TECH CENTER 1600/2900

FRANK J. WEST*
KATHLEEN COONEY-PORTER*
ANDREW M. OLLIS
MARGO LIVESAY, PH.D.*
CORWIN P. UMBACH, PH.D.
RON MYERS*
W. TODD BAKER*
DAVID D'ZURILLA
JOSEPH A. SCAFFETTA, JR.
CARLOS R. VILLAMAR
ROBERT C. MATTSOHN
MANDY M. PETROCELLI
EDWIN D. GARLEPP
ALEXANDER E. GASSER*
KETH DITTHAVONG
CHRISTOPHER D. WARD
THOMAS M. CUNNINGHAM, PH.D.
CLAYTON W. THOMPSON, II
KENNETH T. CUCCINELLI, II
THOMAS J. FISHER
ROBERT C. NISSEN*
GAY ANN SPAHN*
AKIHIRO YAMAZAKI*
AMBER A. TRAIN*
MALCOLM J. MACDONALD, PH.D.*
ANDREW K. BEVERINA*
ROBERT G. CROCKETT*
DEREK RICHMOND
FREDERICK D. VASTINE, PH.D.*
JOHN K. PIKE, PH.D.*
JAMES J. KELLY, PH.D.*
DAVID A. BLONDEAU*
STAMATIOS MYLONAKIS, PH.D.*
PHILIPPE J.C. SIGNORE, PH.D.*
KEVIN A. NORDBERG*
THOMAS A. BLINKA, PH.D.*
DANIEL J. PEREIRA, PH.D.*
RONALD A. RUDDER, PH.D.*
JOHN F. T. CONROY, PH.D.*
MYRON K. WYCHE*

* BAR MEMBERSHIP OTHER
THAN VIRGINIA
* JAPANESE PATENT ATTORNEY
* REGISTERED PATENT AGENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RE: Application Serial No.: 09/497,997
Applicant(s): Theresa TERNYNCK et al
Filing Date: February 4, 2000
For: VECTORS DERIVED FROM ANTIBODIES FOR
TRANSFERRING SUBSTANCES INTO CELLS
Group No.: 1648
Examiner: NELSON, B.

SIR:

Attached hereto for filing are the following papers:

**NOTICE TO COMPLY
PRELIMINARY AMENDMENT
SEQUENCE LISTING
COMPUTER-READABLE SEQUENCE LISTING (DISKETTE)**

Our check in the amount of \$_____ is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon
Registration No. 24,618
Attorney of Record

Daniel J. Pereira, Ph.D.
Registration No. 45,518



22850

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.

ATTORNEYS AT LAW

FOURTH FLOOR
1755 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VIRGINIA 22202 U.S.A.

(703) 413-3000

(703) 413-2220 FACSIMILE

OBLONPAT@OBLON.COM

WWW.OBLON.COM

PATENT, TRADEMARK AND COPYRIGHT LAW
AND RELATED FEDERAL AND ITC LITIGATION



Docket No.: 0660-0166-0X CONT

RECEIVED

DEC 21 2000

NORMAN F. OBLON
MARVIN J. SPIVAK
STEPHEN G. McCLELLAND
GREGORY J. MAIER
ARTHUR I. NEUSTADT
RICHARD D. KELLY
JAMES D. HAMILTON
ECKHARD H. KUESTERS
ROBERT T. POUS
DAVID D. PERA
CHARLES M. GHOLZ
WILLIAM E. BEAUMONT
JEAN-PAUL LAVALLEY, PH.D.
JEFFREY H. KAUFMAN
BRIAN D. ANDERSON
ROBERTA S. BREN
STEPHEN G. BAXTER, PH.D.
RICHARD L. TREANOR, PH.D.
STEVEN P. WEIHROUCH
JOHN T. GOOLKASIAN*
RICHARD L. CHINN, PH.D.
STEVEN E. LIPMAN
CARL E. SCHLIER
P. JAY HINES
JAMES J. KULBASKI
RICHARD A. NEIFELD, PH.D.
J. DEREK MASON, PH.D.
SURINDER SACHAR
JONATHAN HUDIS
JEFFREY B. McINTYRE*
WILLIAM T. ENOS*
MICHAEL E. McCABE, JR.*
STEVEN C. TABACKMAN
JORDAN S. WEINSTEIN
BRADLEY D. LYTLE
MICHAEL R. CASEY, PH.D.

GERALD J. MOSSINGHOFF

MILTON STERMAN
SAMUEL H. BLECH*
JOHN O. TRESANSKY*
ALTON D. ROLLINS
JAMES R. BOLER*
HARRIS A. PITLUCK*
RAYMOND F. CARDILLO, JR.
ROBERT W. HAHN, PH.D.
NEAL GOLDFARB
BRIAN B. DARVILLE

MASAYASU MORI*†

FRANK J. WEST*
KATHLEEN COONEY-PORTER*
ANDREW M. OLLIS
MARGO LIVESAY, PH.D.*
CORWIN P. UMBACH, PH.D.
RON MYERS*
W. TODD BAKER*
DAVID D'ZURILLA
JOSEPH A. SCAFFETTA, JR.
CARLOS R. VILLAMAR
ROBERT C. MATTSOON
MANDY M. PETROCELLI
EDWIN D. GARLEPP
ALEXANDER E. GASSER*
KETH DITTHAVONG
CHRISTOPHER D. WARD
THOMAS M. CUNNINGHAM, PH.D.
CLAYTON W. THOMPSON, II
KENNETH T. CUCCINELLI, II
THOMAS J. FISHER
ROBERT C. NISSEN*
GAY ANN SPAHN*
AKIHIRO YAMAZAKI*
AMBER A. TRAIN*
MALCOLM J. MACDONALD, PH.D.*
ANDREW K. BEVERINA*
ROBERT G. CROCKETT*
DEREK RICHMOND
FREDERICK D. VASTINE, PH.D.*
JOHN K. PIKE, PH.D.*
JAMES J. KELLY, PH.D.*
DAVID A. BILODEAU*
STAMATIOS MYLONAKIS, PH.D.*
PHILIPPE J.C. SIGNORE, PH.D.*
KEVIN A. NORDBERG*
THOMAS A. BLINKA, PH.D.*
DANIEL J. PEREIRA, PH.D.*
RONALD A. RUDDER, PH.D.*
JOHN F. T. CONROY, PH.D.*
MYRON K. WYCHE*

* BAR MEMBERSHIP OTHER
THAN VIRGINIA
† JAPANESE PATENT ATTORNEY
* REGISTERED PATENT AGENT

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RE: Application Serial No.: 09/497,997
Applicant(s): Theresa TERNYNCK et al
Filing Date: February 4, 2000
For: VECTORS DERIVED FROM ANTIBODIES FOR
TRANSFERRING SUBSTANCES INTO CELLS
Group No.: 1648
Examiner: NELSON, B.

SIR:

Attached hereto for filing are the following papers:

**NOTICE TO COMPLY
PRELIMINARY AMENDMENT
SEQUENCE LISTING
COMPUTER-READABLE SEQUENCE LISTING (DISKETTE)**

Our check in the amount of \$_____ is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Norman F. Oblon
Registration No. 24,618
Attorney of Record

Daniel J. Pereira, Ph.D.
Registration No. 45,518



22850

Notice to Comply

Application No.

09/497,997

Examiner
B. Nelson

Applicant(s)

Ternynk et al.

Art Unit

1648

RECEIVED

DEC 21 2000

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

TECH CENTER 1600/2900

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☐ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- X 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- X 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other:

Applicant Must Provide:

- X An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- X An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- X A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

PatentIn Software Program Support

Technical Assistance.....703-287-0200

To Purchase PatentIn Software.....703-306-2600

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR REPLY

